

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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MADELINE C.,

Plaintiff,

v.

No. 5:20-CV-358  
(CFH)

ANDREW M. SAUL,  
Commissioner of Social Security,

Defendant.

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**APPEARANCES:**

Law Offices of Kenneth Hiller, PLLC  
6000 North Bailey Avenue - Suite 1A  
Amherst, New York 14226  
Attorneys for plaintiff

Social Security Administration  
Office of the General Counsel,  
J.F.K. Federal Building, Room 625  
15 New Sudbury Street  
Boston, Massachusetts 02203  
Attorney for defendant

**OF COUNSEL:**

KENNETH R. HILLER, ESQ.

AMELIA STEWART, ESQ.  
Special Assistant U.S. Attorney

**CHRISTIAN F. HUMMEL  
U.S. MAGISTRATE JUDGE**

**ORDER<sup>1</sup>**

Currently pending before the Court in this action, in which plaintiff seeks judicial review of an adverse administrative determination by the Commissioner of Social Security, pursuant to 42 U.S.C. § 405(g) are cross-motions for judgment on the

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<sup>1</sup> Parties consented to direct review of this matter by a Magistrate Judge pursuant to 28 U.S.C. § 636(c), FED. R. CIV. P. 73, N.D.N.Y. Local Rule 72.2(b), and General Order 18. See Dkt. No. 5.

pleadings.<sup>2</sup> Oral argument was conducted in connection with these motions on the record on August 18, 2021, at which a court reporter was present. At the close of argument, I issued a bench decision in which, after applying the requisite deferential review standard, I found that the administrative law judge's decision resulted from the application of proper legal principles and was supported by substantial evidence. I also provided detail regarding my reasoning and addressed the specific issues raised by Plaintiff in her appeal.

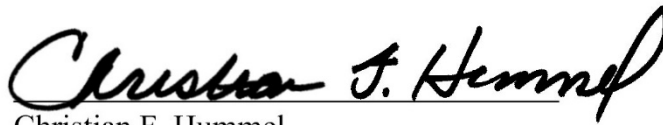
After due deliberation, and based upon the Court's oral bench decision, the transcript of which is attached to this Order and is incorporated herein by reference (Dkt. No. 19), it is hereby

**ORDERED** that:

1. Defendant's motion for judgment on the pleadings (Dkt. No. 16) is **GRANTED**;
2. The Commissioner's determination that Plaintiff was not disabled at the relevant times, and therefore, not entitled to benefits under the Social Security Act, is **AFFIRMED**;
3. Plaintiff's motion for judgment on the pleadings (Dkt. No. 11), is **DENIED**; and
4. The Clerk is directed to enter judgment dismissing Plaintiff's Complaint (Dkt. No. 1) in its entirety.

**IT IS SO ORDERED.**

Dated: August 23, 2021  
Albany, New York

  
Christian F. Hummel  
U.S. Magistrate Judge

<sup>2</sup> This matter, which is before me on consent of the parties, pursuant to 28 U.S.C. § 636(c), has been treated in accordance with the procedures set forth in General Order No. 18. Under that General Order, once issue has been joined, an action such as this is considered procedurally as if cross-motions for judgment on the pleadings had been filed pursuant to Rule 12(c) of the Federal Rules of Civil Procedure.